



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

July 29, 1998

Ms. Kristi A. Taylor
Assistant City Attorney
Neiman & Barnes, L.L.P.
P.O. Box 777
Lewisville, Texas 75067

OR98-1793

Dear Ms. Taylor:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 117047.

The City of Lewisville (the "city") received a request for Offense Report No. 98-4041. You state that you have released to the requestor the first page of the requested report and of another related report. You assert that the remaining information on the requested report is excepted from disclosure based on sections 552.101 and 552.108 of the Government Code.

Section 552.108 of the Government Code reads in part as follows:

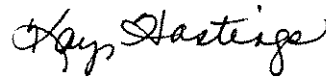
(a) Information held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime is excepted from the requirements of Section 552.021 if:

(2) it is information that deals with the detection, investigation, or prosecution of crime only in relation to an investigation that did not result in conviction or deferred adjudication[.]

You inform us that the report at issue concerns a case that did not result in conviction or deferred adjudication. We therefore conclude that the city may withhold the information from the requestor based on section 552.108(a)(2).

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, reading "Kay Hastings".

Kay Hastings
Assistant Attorney General
Open Records Division

KHH/mjc

Ref.: ID# 117047

Enclosures: Submitted documents

cc: Ms. Carmyn Hall
1906 Buffalo Bend Drive
Lewisville, Texas 75067
(w/o enclosures)